



REPORT TO COUNCIL

City of Sacramento

915 I Street, Sacramento, CA 95814-2604
www.CityofSacramento.org

Public Hearing
September 23, 2008

Honorable Mayor and
Members of the City Council

Title: 21st and I St Rezone (P08-043)

Location/Council District: 915 21st Street: APN: 007-0022-001, -004; Council District 3

Recommendation: Conduct a public hearing and upon conclusion adopt 1) a **Resolution** determining the project is exempt under the California Environmental Quality Act (CEQA) Guidelines Section 15332 (infill development); 2) a **Resolution** approving a lot line adjustment and subdivision modification; 3) a **Resolution** amending the Central City Community Plan designation from Multi-Family to General Commercial; and 4) an **Ordinance** approving the rezone from Multi-Family (R-3A) zone to General Commercial Neighborhood Corridor (C-2-NC) zone.

Contact: Michael York, Associate Planner, (916) 808-8239; Evan Compton, Interim Senior Planner, (916) 808-2659

Presenters: Michael York, Associate Planner

Department: Development Services

Division: Planning

Organization No: 21001010

Description/Analysis

Issue: The applicant is requesting to re-designate approximately 0.06 acres of property from Multi-Family to General Commercial for the purpose of using an existing parking lot for office parking. Currently a parcel developed with a duplex at the street is using the rear portion of the parcel as a parking lot for the office building on the adjacent parcel. The parking use associated with the office parcel is not permitted in the Multi-Family (R-3A) zone. Approval of the entitlements will make the parking area use conform to the plan designation and zoning.

Policy Considerations: The proposed project is consistent with the following land use designation(s) and applicable policies of the General Plan to: "Promote the reuse and rehabilitation of existing urban development as a means to meet projected growth" (GP, Policy 5, 1-33). "To provide adequate off-street parking for new development and reduce the impact of on-street parking in established areas" (GP, Goal A, 5-26), and "Continue to use parking standards which will provide adequate off-street parking" (GP, Policy 1, 5-27).

The proposed project is consistent with following Central City Community Plan policies to: "Provide for a range of commercial activities which meet the needs of the residents, employees and visitors to the Central City" (CCCP, page 7), "Encourage full utilization of existing office areas in the Central City" (CCCP, page 9), and "Provide adequate off-street parking to meet the needs of visitors and residents" (CCCP, page 10).

GP Update Vision and Guiding Principles/Smart Growth Principles:

While the City's General Plan is being updated, the City Council has adopted a vision for the future of the City as well as several guiding principles to help achieve this vision. This was done to ensure that new developments submitted during the ongoing update comply with the goals and policies that are being incorporated into the General Plan through the update. The applicable guiding principles that this proposal complies with include:

- Promote developments that foster accessibility and connectivity between areas and safely and efficiently accommodate a mixture of cars, transit, bicyclists and pedestrians.
- Use the existing assets of infrastructure and public facilities to increase infill and reuse, while maintaining important qualities of community character.

The proposed project complies with the above guiding principles and is not contrary to any of the proposed principles.

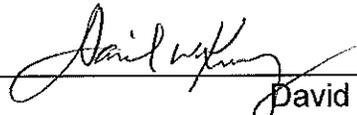
Committee/Commission Action: On August 14, 2008 the Planning Commission heard and considered the actions requested. The Planning Commission forwarded a recommendation of approval for the 21st and I St Rezone project to the City Council. The project was approved at the Subdivision Review Committee (SRC) on July 16, 2008.

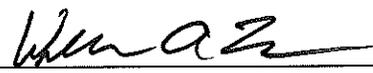
Environmental Considerations: The proposed project will not have a significant effect on the environment and is exempt from environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15332 as an infill development.

Rationale for Recommendation: Staff supports the request to amend the Central City Community Plan and rezone the designations from Multi-Family to General Commercial in that they are consistent with the objectives of General Plan to promote the reuse and rehabilitation of existing urban development as a means to meet projected growth and to provide adequate off-street parking for new development and reduce the impact of on-street parking in established areas.

Financial Considerations: The project has no fiscal considerations.

Emerging Small Business Development (ESBD): No goods or services are being purchased under this report.

Respectfully Submitted by: 
David Kwong
Planning Manager

Approved by: 
William Thomas
Director of Development Services

Recommendation Approved:

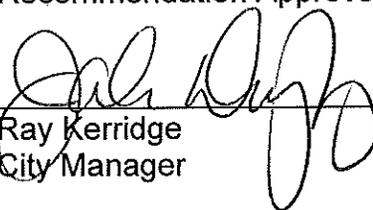
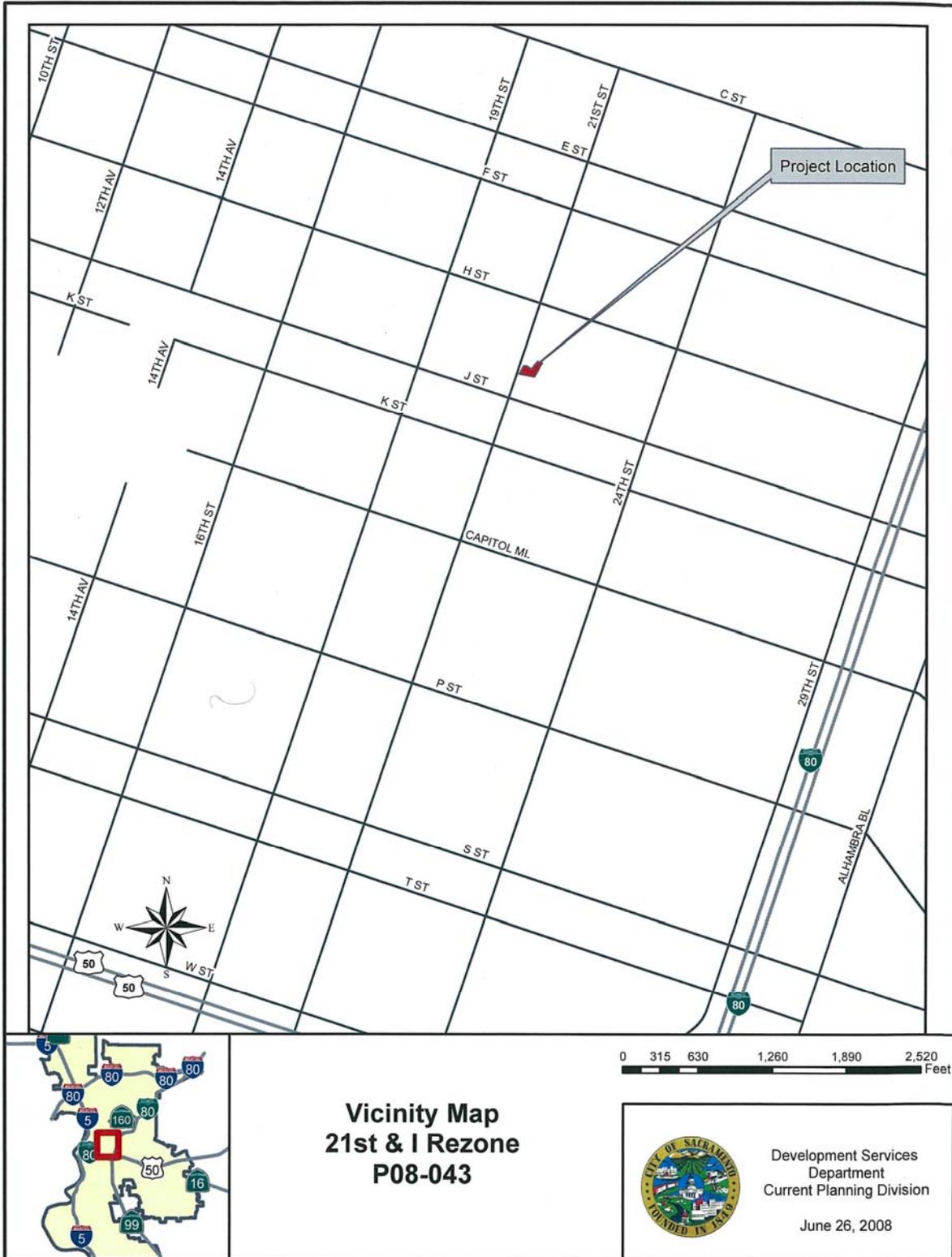

Ray Kerridge
City Manager

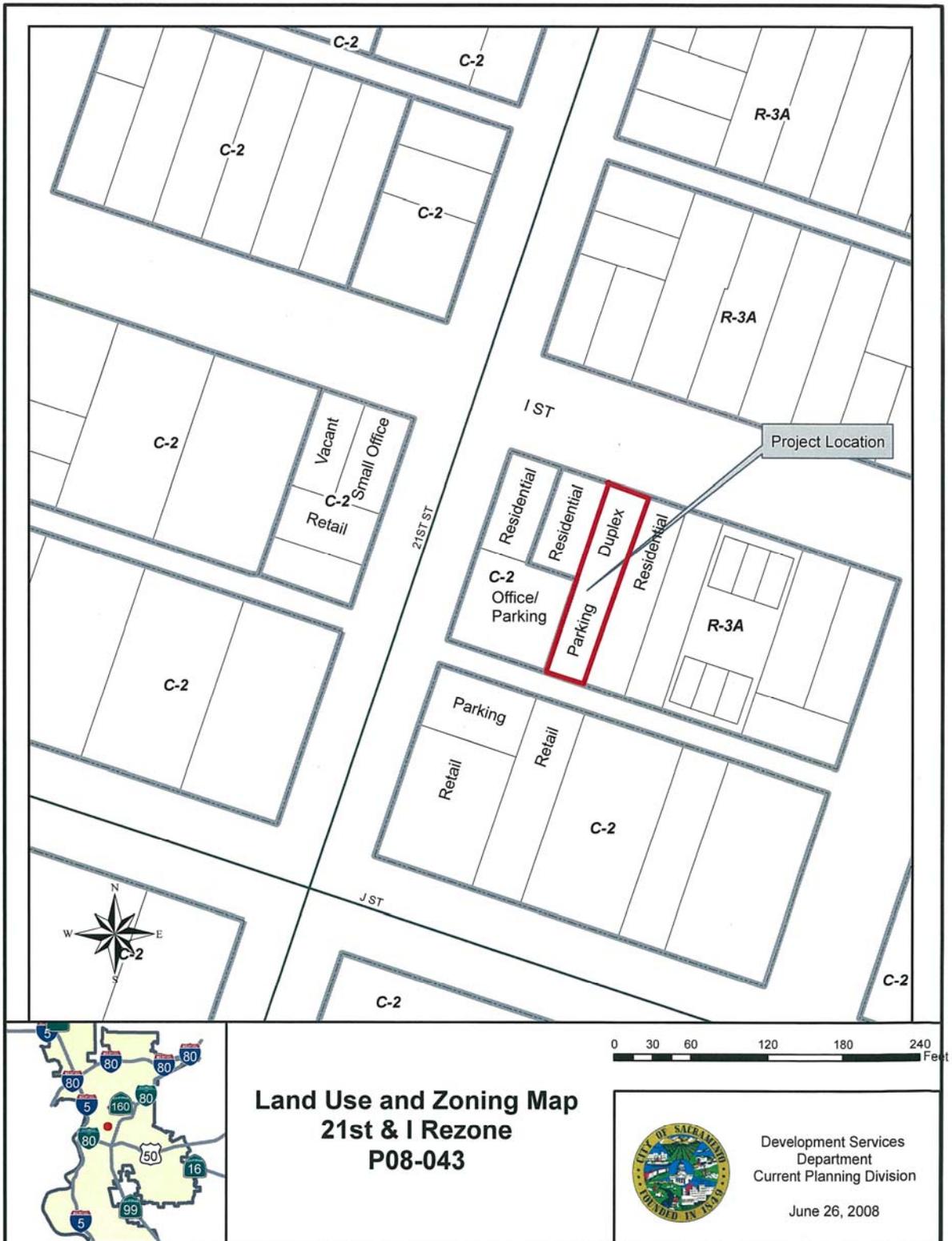
Table of Contents:

Report	Pg	1
Attachments		
1 Vicinity Map	Pg	4
2 Land Use & Zoning Map	Pg	5
3 Project Background Information	Pg	6
4 Resolution – Environmental Exemption	Pg	7
5 Resolution – Community Plan Amendment Draft Resolution	Pg	8
Exhibit A – Central City Community Plan Amendment	Pg	9
6 Ordinance – Rezone	Pg	10
Exhibit A – Rezone	Pg	11
7 Resolution – Project Approval	Pg	12
Exhibit A – Lot Line Adjustment	Pg	16
Exhibit B – Reciprocal Ingress/egress Parking Easement	Pg	17
8 Site Plan	Pg	18

Attachment 1 – Vicinity Map



Attachment 2 – Land Use & Zoning Map



**Land Use and Zoning Map
21st & I Rezone
P08-043**



Development Services
Department
Current Planning Division
June 26, 2008

Attachment 3 – Project Background Information

The southern portion of a residentially zoned lot has historically been used as parking for both the existing duplex on site and an office on an adjacent parcel to the west (915 21st Street). The parking has been utilized for both uses for the last 40-50 years. The parking associated with the office use is not permitted in the Multi-Family (R-3A) zone. The purpose of the project is to allow the parking area of the multi-family parcel to be sold with the commercial property as an official parking area. No other entitlements have ever been proposed for the site.

The project was approved at the Subdivision Review Committee (SRC) on July 16, 2008.

The project was routed to the Boulevard Park Neighborhood Association. A response was received regarding what the scope of the project is.

On August 14, 2008 the Planning Commission heard and considered the actions requested. The Planning Commission voted to support the request, subject to conditions and forward to City Council.

Attachment 4 – Environmental Exemption Resolution

RESOLUTION NO. 2008-

Adopted by the Sacramento City Council

DETERMINING PROJECT EXEMPT FROM REVIEW UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (21st & I ST REZONE) (P08-043) (APN: Portion of 007-0022-001 & -004)

BACKGROUND

- A. On August 14, 2008, the City Planning Commission conducted a public hearing on the “21st & I Street” project (hereafter referred to as “Project”), and forwarded the Project to the City Council with a recommendation to approve with conditions.
- B. On September 23, 2008, the City Council conducted a public hearing, for which notice was given pursuant to Sacramento City Code Sections 17.204.020(C), 17.208.020(C), 17.212.035, and 17.200.010(C)(2)(a), (b), and (c) (publication, posting, and mail 500’), and received and considered evidence concerning the Project.

BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. Based on the determination and recommendation of the City’s Environmental Planning Services Manager and the oral and documentary evidence received at the hearing on the Project, the City Council finds that the Project is exempt from review under Section 15332 of the California Environmental Quality Act Guidelines as follows:

- a. The project complies with all applicable policies of the General Plan, as well as with the applicable zoning regulations;
- b. The proposed development occurs within City limits on a project site of no more than five (5) acres substantially surrounded by urban uses;
- c. The project site has no value as habitat for endangered, rare or threatened species;
- d. Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality; and
- e. The site can be adequately served by all required utilities and public services.

Attachment 5 – Central City Community Plan Amendment Resolution

RESOLUTION NO.

Adopted by the Sacramento City Council

**AMENDING THE CENTRAL CITY COMMUNITY PLAN LAND USE MAP
FROM MULTI FAMILY RESIDENTIAL TO GENERAL COMMERCIAL FOR THE
PROPERTY LOCATED AT 2108 I STREET NEAR THE SOUTHEAST CORNER OF
21st AND I STREETS
(P08-043)(APNS: PORTION OF 007-0022-004)**

BACKGROUND

- A. On August 14, 2008, the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve the Community Plan Amendment for the 21st & I Street Rezone project.
- B. On September 23, 2008, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.204.020(C) and 17.200.010(C)(2)(a) (publication), and received and considered evidence concerning the 21st & I Street Rezone project.
- C. The proposed land use amendment is consistent with the conversion of this site to commercial to implement the goals and policies of the Central City Community Plan to attract new, functional commercial development and to increase employment opportunities in the community.
- D. The proposed plan amendment is compatible with the surrounding uses.

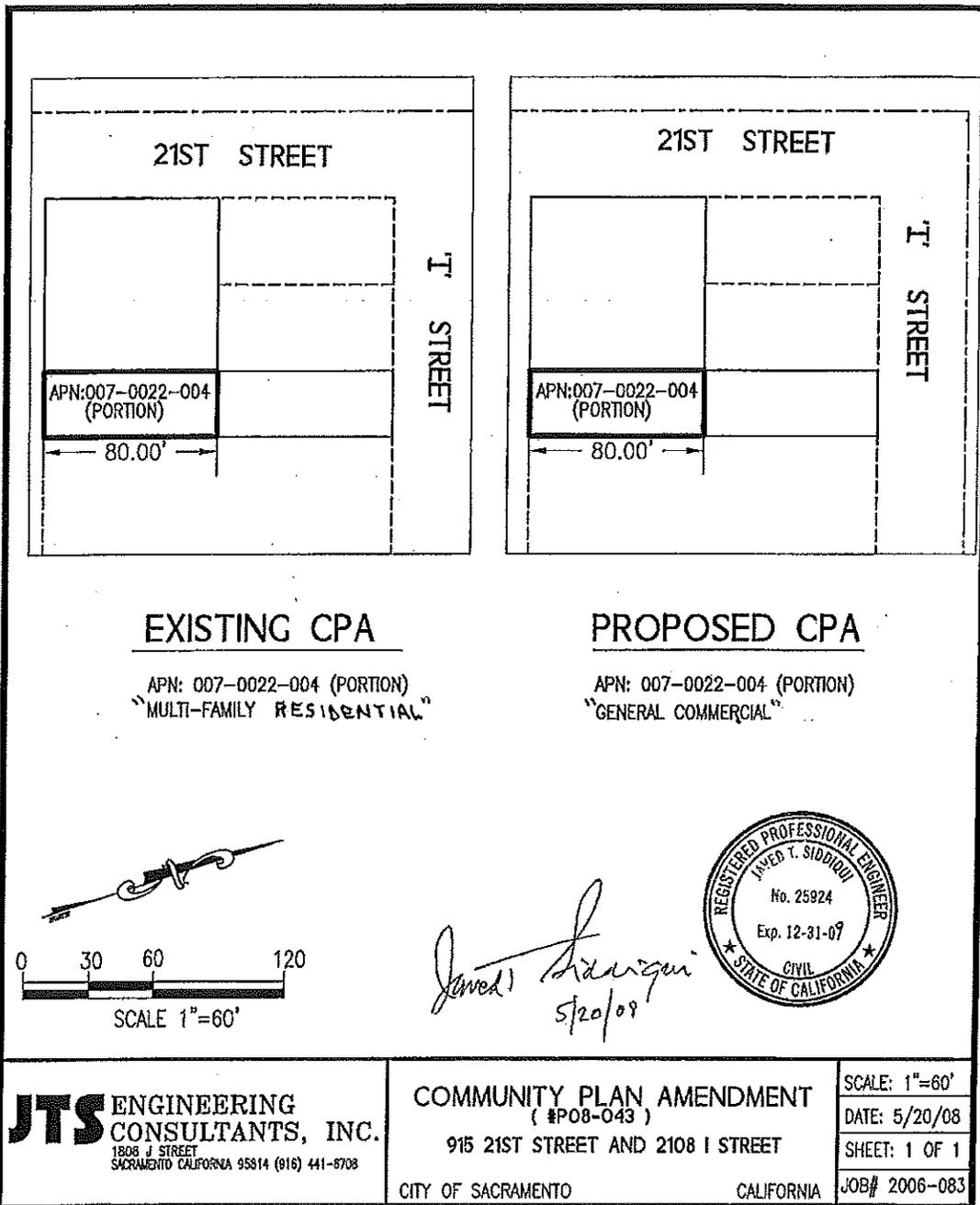
**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL
RESOLVES AS FOLLOWS:**

- Section 1. The property (APNs: portion of 007-0022-004), as described on the attached Exhibit A, within the City of Sacramento, is hereby designated on the Central City Community Plan land use map as General Commercial.

Table of Contents:

Exhibit A: Central City Community Plan Amendment – 1 page

Exhibit A – Central City Community Plan Amendment Exhibit



ORDINANCE NO.

Adopted by the Sacramento City Council

**AMENDING TITLE 17 OF THE SACRAMENTO CITY CODE (THE ZONING CODE) BY
REZONING CERTAIN REAL PROPERTY FROM MULTI-FAMILY (R-3A) TO
GENERAL COMMERCIAL NEIGHBORHOOD CORRIDOR (C-2-NC) (2108 I STREET
NEAR THE SOUTHEAST CORNER OF 21ST AND I STREETS)
(P08-043) (APN: PORTION OF 007-0022-004)**

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT:

Section 1. Title 17 of the Sacramento City Code (the Zoning Code) is amended by rezoning the property shown in the attached Exhibit A, generally described, known, and referred to as 21st & I St Rezone located at 2108 I Street near the southeast corner of 21st and I Streets (APNs: Portion of 007-0022-004) and consisting of 0.66± acres, from Multi-Family (R-3A) to General Commercial Neighborhood Corridor (C-2-NC).

Section 2. Rezoning of the property shown in the attached Exhibit A, by the adoption of this Ordinance, will be considered to be in compliance with the requirements for the rezoning of property described in the Zoning Code, as amended, as those procedures have been affected by recent court decisions.

Section 3. The City Clerk of the City of Sacramento is directed to amend the official zoning maps, which are part of the Zoning Code, to conform to the provisions of this Ordinance.

Table of Contents:

Exhibit A: 21st & I Street Rezone Rezoning Map – 1 Page

Attachment 7 – Project Approval Resolution

RESOLUTION NO.

Adopted by the Sacramento City Council

**ADOPTING FINDINGS OF FACT AND APPROVING THE
21ST & I STREET REZONE PROJECT (P08-043)**

BACKGROUND

A. On August 14, 2008, the City Planning Commission conducted a public hearing on, and forwarded to the City Council a recommendation to approve with conditions the 21st & I Street Rezone Project.

B. On September 23, 2008, the City Council conducted a public hearing, for which notice was given pursuant Sacramento City Code Section 17.212.035, 17.216.035, 17.220.035, 16.24.097, and 17.200.010 (C)(2)(a), (b), and (c) (publication, posting, and mail 500'), and received and considered evidence concerning the 21st & I Street Rezone project.

**BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL
RESOLVES AS FOLLOWS:**

Section 1. Based on the verbal and documentary evidence received at the hearing on the 21st & I Street Rezone Project, the City Council approves the Project entitlements based on the findings of fact and subject to the conditions of approval as set forth below.

Section 2. The City Council approves the Project entitlements based on the following findings of fact:

A. Environmental Determination: The Environmental Exemption for the Project has been adopted by Resolution No. _____.

D. Lot Line Adjustment: The Lot Line Adjustment to the common lot lines between two lots totaling approximately 0.26 acres in the Multi-Family (R-3A) and General Commercial (C-2) zones is approved based on the following findings of fact:

1. None of the conditions described in Government Code Section 66474, subsection (a) through (e), inclusive, exist with respect to the proposed subdivision as follows:

a. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City's General Plan, all applicable community and specific plans, and Title 16 of the City Code, which is a specific plan of the City;

b. The site is physically suitable for the type of development proposed and suited for the proposed density;

c. The design of the subdivision and the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife their habitat;

d. The design of the subdivision and the type of improvements are not likely to cause serious public health problems;

e. The design of the subdivision and the type of improvements will not conflict with easements, acquired by the public at large, for access through or use, of, property within the proposed subdivision.

2. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the City General Plan, the North Sacramento Community Plan and Title 16 Subdivisions of the City Code, which is a specific plan of the City (Gov. Code §66473.5);

3. The discharge of waste from the proposed subdivision into the existing community sewer system will not result in a violation of the applicable waste discharge requirements prescribed by the California Regional Water Quality Board, Central Valley Region, in that existing treatment plants have a design capacity adequate to service the proposed subdivision (Gov. code §66474.6);

4. The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (Gov. Code §66473.1);

5. The City Council has considered the effect of the approval of this tentative subdivision map on the housing needs of the region and has balanced these needs against the public service needs of its residents and available fiscal and environmental resources (Gov. Code §66412.3).

E. Subdivision Modification: The Subdivision Modification to create a lot less than 3200 square feet within the central city is approved based on the following findings of fact:

1. That the property to be divided is of such size or shape, or is affected by such topographic conditions, or that there are such special circumstances or conditions affecting the property that it is impossible, impractical, or undesirable in the particular case to conform to the strict application of these regulations;

2. That the cost to the subdivider of strict or literal compliance with the regulation is not the sole reason for granting the modification;

3. That the modification will not be detrimental to the public health, safety or welfare or be injurious to other properties in the vicinity;

4. That granting the modification is in accord with the intent and purposes of the provisions of Title 16 of the Sacramento City Code (the Subdivision Ordinance) and is consistent with the general plan and with all other applicable specific plans of the city.

Conditions Of Approval

D/E. The **Lot Line Adjustment** to adjust the common lot lines between two lots totaling approximately 0.26 acres in the Multi-Family (R-3A) and General Commercial (C-2) zones and **Subdivision Modification** to create a lot less than 3200 square feet within the central city are hereby **approved** subject to the following conditions of approval:

NOTE: These conditions shall supersede any contradictory information shown on the Lot Line Adjustment or Subdivision Modification approved for this project (P08-043). The design of any improvement not covered by these conditions shall be to City standard.

The applicant shall satisfy each of the following conditions prior to filing the Final Map unless a different time for compliance is specifically stated in these conditions. Any condition requiring an improvement that has already been designed and secured under a City Approved improvement agreement may be considered satisfied at the discretion of the Development Engineering and Finance Division.

The City strongly encourages the applicant to thoroughly discuss the conditions of approval for the project with their Engineer/Land Surveyor consultants prior to City Planning Commission approval. The improvements required of a Tentative Map can be costly and are completely dependent upon the condition of the existing improvements. Careful evaluation of the potential cost of the improvements required by the City will enable the applicant to ask questions of the City prior to project approval and will result in a smoother plan check process after project approval

All Projects:

D/E1. Pay off existing assessments, or file the necessary segregation requests and fees to segregate existing assessments;

D/E2. Private reciprocal ingress, egress, maneuvering and parking easements are required for future development of the area covered by this Lot Line Adjustment. The applicant shall enter into and record an Agreement For Conveyance of Easements with the City stating that a private reciprocal ingress/egress, maneuvering, and parking easement shall be conveyed to and reserved from Parcels A and B as shown in Exhibit B, at no cost, at the time of sale or other conveyance of either parcel;

D/E3. Show all continuing and proposed/required easements on any future Parcel Map;

Development Engineering:

D/E4. The design and placement of walls, fences, signs and Landscaping near intersections and driveways shall allow stopping sight distance per Caltrans standards and comply with City Code Section 12.28.010 (25' sight triangle). Walls shall be set back 3' behind the sight line needed for stopping sight distance to allow sufficient room for pilasters. Landscaping in the area required for adequate stopping sight distance shall be limited 3.5' in height. The area of exclusion shall be determined by the Development Engineering Division;

City Utilities:

D/E5. Current records indicate that existing water and sewer services for parcel 2 (APN: 007-0022-004) are located and will traverse through Parcel 1 (APN: 007-0022-001). Thus, the applicant must enter into and record an Agreement for Conveyance of Easements with the City stating that a private water, drainage and sewer easement shall be conveyed to Parcel 2 from Parcel 1 as needed;

Fire Department:

D/E6. Fire service mains shall not cross property lines unless a reciprocal easement agreement is provided;

D/E7. A reciprocal ingress egress agreement shall be provided for review by City Attorney for all shared driveways being used for Fire Department access;

Advisory Notes:

The following advisory note is informational in nature and are not a requirement of this Lot Line Adjustment or Subdivision Modification:

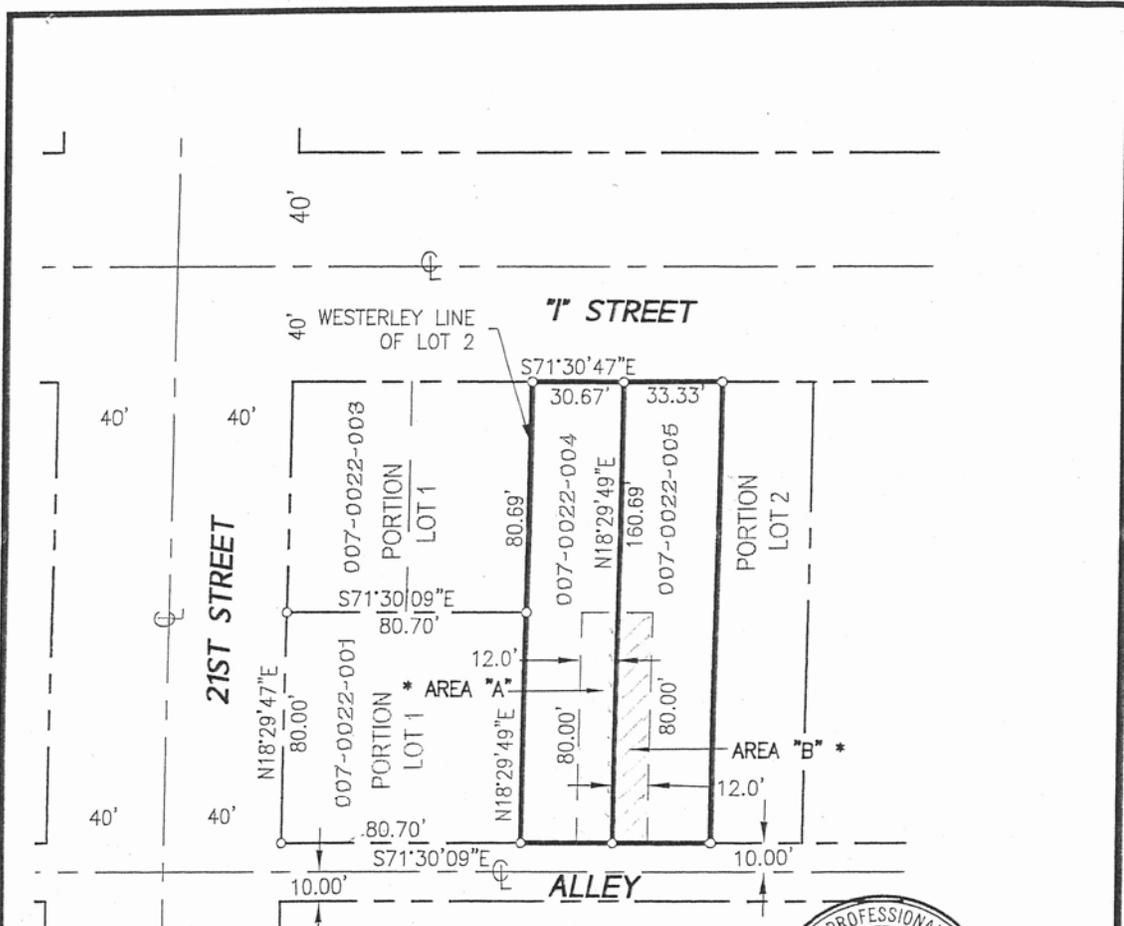
1. If, due to a lot line adjustment, any existing utility lines such as water, sewer, gas or electrical that serve existing duplex are going to cross new lot line, those lines have to be relocated or easement has to be provided for those utility lines. New easement has to be recorded and permanently maintained.

Table of Contents:

Exhibit A – Lot Line Adjustment Exhibit – 1 page

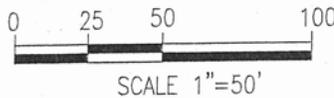
Exhibit B – Reciprocal Ingress/Egress Parking Easement Exhibit – 1 page

Exhibit B – Reciprocal Ingress/Egress Parking Easement Exhibit



NOTE:
THIS EXHIBIT IS PREPARED FROM RECORD DATA.
IT IS NOT BASED ON A SURVEY.

* 12.0' INGRESS/EGRESS AND
PARKING/MANUVERING SPACE EASEMENT.
MUTUAL/RECIPROCAL AND
NON-EXCLUSIVE.



Javed T. Siddiqui
JAVED T. SIDDIQUI RCE 25924 1/8/08

<p>JTS ENGINEERING CONSULTANTS, INC. 1808 J STREET SACRAMENTO CALIFORNIA 95814 (916) 441-6708</p>	<p>EXHIBIT "B"</p>	<p>SCALE: 1"=50'</p>
	<p>RECIPROCAL EASEMENT EXHIBIT</p>	<p>DATE: 01/06/08</p>
	<p>PORTIONS OF LOT 2 IN THE BLOCK BOUNDED BY I, J, 21ST AND 22ND STREETS</p>	<p>SHEET: 1 OF 1</p>
	<p>CITY OF SACRAMENTO CALIFORNIA</p>	<p>JOB# 2006-083</p>

S:\2006-083-083-083-EASE-EXHIBIT.dwg, 1/7/2008 11:27:32 AM, JTS Engineering Consultants Inc.

